

07 Civ. 8813 (RWS)

**DECLARATION OF
K. MURALITHERAPANY IN OPPOSITION TO DEFENDANT'S MOTION TO
VACATE
MARITIME ATTACHMENT**

Exhibit 3

Yvonne Kwek

From: Carol Mulcahy [Carol.Mulcahy@blplaw.com]
Sent: Friday, February 08, 2008 2:26 AM
To: Murali Pany
Cc: Yvonne Kwek; law@chauncy.co.uk; Nicole Mak; Michael Polonsky
Subject: RE: AIL v EPT: Books and Records

Dear Mr Pany,

Thank you for your email..

You state that your client's position that PSL is not a party to the agreement is irrelevant in relation to its request to audit PSL's books. With respect, we fail to see how this can be the case when the basis of your entitlement to seek an audit of PSL's books is wholly based on the provisions of that agreement. We repeat our view that a joinder of PSL to the current proceedings offers the parties a way out of this conundrum.

As indicated in my email of 30 January 2008, EP-Team's position is that it has no books or records relating to the business.

Regards

Carol Mulcahy
Dispute Resolution
Berwin Leighton Paisner LLP
Telephone (direct): 020 7427 1303
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Fax: 020 7760 1111

5/14/2008